



PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 6

Complete if Known

| | |
|------------------------|------------------|
| Application Number | 10/666,642 |
| Filing Date | Sept. 18, 2003 |
| First Named Inventor | JIANG, Cai-Zhong |
| Art Unit | 1638 |
| Examiner Name | BAUM, Stuart F |
| Attorney Docket Number | MBI-0054 US |

U. S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|--|
| | | Number-Kind Code ² (if known) | | | |
| B | 1 | US- 6,664,446 | 12-16-2003 | HEARD et al. | SEQ ID NO:29,30,116 |
| | 2 | US- 10/412,699 | 03-04-2004 | ZHANG et al. | SEQ ID NO:805-808 |
| B | 3 | US- 10/278,536 | 07-10-2003 | SAMAH et al. | SEQ ID NO:226 |
| | 4 | US- 10/714,887 | unpublished | HEARD et al. | SEQ ID NO:5,6,29-32,129, 158,201-210,223-224 |
| B | 5 | US- 09/713,994 | unpublished | KEDDIE et al. | SEQ ID NO:1639,1640 |
| | 6 | US- 10/225,066 | 12-04-2003 | RATCLIFFE et al. | SEQ ID NO: 1,2, Table 4, Row 1 |
| B | 7 | US- 10/374,780 | 01-29-2004 | SHERMAN et al. | SEQ ID NO:253-254, 1529-1535 |
| | 8 | US- 5,994,622 | 11-30-1999 | JOFUKU and OKAMURO | Col. 13, line 55-Col. 20 line 32,Col. 21-Col. 30 |
| B | 9 | US- 2002/0076775 | 06-20-2002 | CRANE et al. | P. 7 [0088], p. 23 [0252] - p. 24 [0260], p. 27 [0303] - p. 28 [0329], p. 29-63 |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|-----------------------|--------------------------|---|--------------------------------|--|---|----------------|
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| B | 10 | EP1406483 (WO0215675) | 02-28-2002 | PILGRIM et al. | SEQ ID NO:196-197 | |
| | 11 | EP1485490 (WO03013227) | 02-20-2003 | RATCLIFFE et al. | SEQ ID NO:1,2, p. 55, Table 4 Row 1 | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Examiner
SignatureDate
Considered

9/23/05

*EXAMINER: Initial reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 6

Complete if Known

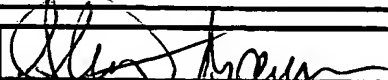
| | |
|------------------------|------------------|
| Application Number | 10/666,642 |
| Filing Date | Sept. 18, 2003 |
| First Named Inventor | JIANG, Cai-Zhong |
| Art Unit | 1638 |
| Examiner Name | BAUM, Stuart F |
| Attorney Docket Number | MBI-0054 US |

U. S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|--|--------------------------------|--|---|
| | | Number-Kind Code ² (if known) | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|---|--------------------------------|--|---|----------------|
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | 12 | WO04076638A2 (PCT/US04/005654) | 09-10-2004 | SHERMAN et al. | G1275: SEQ ID NO: 253-254, 1529-1535 pg. 60 Ln 3,20 p. 83, row 2 p. 94, row 4 | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Examiner
SignatureDate
Considered

9/23/05

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | | | |
|--|---|----|---|--------------------------|--------------------|
| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete If Known | |
| | | | | Application Number | 10/666,642 |
| | | | | Filing Date | September 18, 2003 |
| | | | | First Named Inventor | JIANG, Cai-Zhong |
| | | | | Art Unit | 1638 |
| | | | | Examiner Name | BAUM, Stuart F |
| Sheet | 3 | of | 6 | Attorney Docket Number | MBI-0054 US |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|---|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| b | 13 | NCBI acc. no. NM_101262; Arabidopsis thaliana WRKY family transcription factor (At1g13960) mRNA, complete cds. Feb 23, 2005 | |
| | 14 | Jofuku et al. (09.07.2000) NCBI Accession No. AR091882; Sequence 3 from patent US 5994622 | |
| | 15 | Kushnir et al. (11.08.2001) NCBI Accession No. AF426252; Arabidopsis thaliana WRKY transcription factor 51 (WRKY51) mRNA, complete cds. | |
| | 16 | Kushnir et al. (12.27.2001) NCBI Accession no. AF452174; Arabidopsis thaliana WRKY transcription factor 75 (WRKY75) mRNA, complete cds. | |
| | 17 | Town et al. (01.10.2002) NCBI Accession no. NM_125877; Arabidopsis thaliana WRKY family transcription factor (At5g64810) mRNA, complete cds. | |
| | 18 | Ulker et al. (01.20.2002) NCBI Accession no. AY071847; Arabidopsis thaliana WRKY transcription factor 50 (WRKY50) mRNA, complete cds. | |
| | 19 | de Pater et al. (1996) Characterization of a zinc-dependent transcriptional activator from Arabidopsis. Nucleic Acids Res 24: 4624-4631 | |
| | 20 | Chen et al. (2002) Expression profile matrix of Arabidopsis transcription factor genes suggests their putative functions in response to environmental stresses. Plant Cell 14: 559-574 | |
| | 21 | Chen and Chen (2002) Potentiation of developmentally regulated plant defense response by AtWRKY18, a pathogen-induced Arabidopsis transcription factor. Plant Physiol 129: 706-716 | |
| | b | 22 | Dellagi et al. (2000) A potato gene encoding a WRKY-like transcription factor is induced in interactions with Erwinia carotovora subsp. atroseptica Mol Plant Microbe Interact 13: 1092-1101 |

| | | | |
|--------------------|-----------------------|-----------------|---------|
| Examiner Signature | <i>Stuart F. Baum</i> | Date Considered | 9/23/05 |
|--------------------|-----------------------|-----------------|---------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.


¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | | | |
|--|---|----|---|--------------------------|--------------------|
| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete If Known | |
| | | | | Application Number | 10/666,642 |
| | | | | Filing Date | September 18, 2003 |
| | | | | First Named Inventor | JIANG, Cai-Zhong |
| | | | | Art Unit | 1638 |
| | | | | Examiner Name | BAUM, Stuart F |
| Sheet | 4 | of | 6 | Attorney Docket Number | MBI-0054 US |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|---|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| B | 23 | Du and Chen (2000) Identification of genes encoding receptor-like protein kinases as possible targets of pathogen- and salicylic acid-induced WRKY DNA-binding proteins in Arabidopsis. Plant J 24: 837-847 | |
| | 24 | Eulgem et al. (1999) Early nuclear events in plant defence signalling: rapid gene activation by WRKY transcription factors. EMBO J 18: 4689-4699 | |
| | 25 | Eulgem et al. (2000) The WRKY superfamily of plant transcription factors. Trends Plant Sci 5: 199-206 | |
| | 26 | Ishiguro and Nakamura (1994) The DEFECTIVE IN ANTHOR DEHISCENCE gene encodes a novel phospholipase A1 catalyzing the initial step of jasmonic acid biosynthesis... Mol Gen Genet 244: 563-571 | |
| | 27 | Johnson et al. (2002) TRANSPARENT TESTA GLABRA2, a trichome and seed coat development gene of Arabidopsis, encodes a WRKY transcription factor. Plant Cell 14, 1359-1375 | |
| | 28 | Lebel et al. (1998) Functional analysis of regulatory sequences controlling PR-1 gene expression in Arabidopsis. Plant J 16: 223-233 | |
| | 29 | Mare et al. (2004) Hv-WRKY38: a new transcription factor involved in cold- and drought-response in barley. Plant Mol Biol 55: 399-416 | |
| | 30 | Pnueli et al. (2002) Molecular and biochemical mechanisms associated with dormancy and drought tolerance in the desert legume Retama raetam. Plant J 31: 319-330 | |
| | 31 | Robatzek and Somssich (2002) Targets of AtWRKY6 regulation during plant senescence and pathogen defense. Genes Dev 16: 1139-1149 | |
| | B | 32 | Sun et al. (2003). A novel WRKY transcription factor, SUSIBA2, participates in sugar signaling in barley by binding to the sugar-responsive elements of the isol promoter. Plant Cell 15, 2076-2092 |

| | | | |
|--------------------|---|-----------------|---------|
| Examiner Signature |  | Date Considered | 9/23/05 |
|--------------------|---|-----------------|---------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

| | | | | | |
|--|---|----|---|--------------------------|--------------------|
| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete If Known | |
| | | | | Application Number | 10/666,642 |
| | | | | Filing Date | September 18, 2003 |
| | | | | First Named Inventor | JIANG, Cai-Zhong |
| | | | | Art Unit | 1638 |
| | | | | Examiner Name | BAUM, Stuart F |
| | | | | Attorney Docket Number | MBI-0054 US |
| Sheet | 5 | of | 6 | | |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| B | 33 | Rushton et al. (1996) Interaction of elicitor-induced DNA-binding proteins with elicitor response elements in the promoters of parsley PR1 genes. EMBO J 15: 5690-5700 | |
| | 34 | Tepperman et al. (2001) Multiple transcription-factor genes are early targets of phytochrome A signaling. Proc Natl Acad Sci U S A 98: 9437-944 | |
| | 35 | Wang et al. (1998) An oligo selection procedure for identification of sequence-specific DNA-binding activities associated with the plant defence response. Plant J 16: 515-522 | |
| | 36 | Yamasaki et al. (2005) Solution Structure of an Arabidopsis WRKY DNA Binding Domain. Plant Cell 17: 944-956 | |
| | 37 | Yang et al. (1999) A pathogen- and salicylic acid-induced WRKY DNA-binding activity recognizes the elicitor response element of tobacco class I chitinase gene promoter. Plant Journal 18: 141-149 | |
| | 38 | Yu et al. (2001) Evidence for an important role of WRKY DNA binding proteins in the regulation of NPR1 gene expression. Plant Cell 13: 1527-1540 | |
| | 39 | Zhang and Wang (2005) The WRKY transcription factor superfamily: its origin in eukaryotes and expansion in plants. BMC Evol Biol 5: 1 | |
| | 40 | Zou et al. (2004) A WRKY gene from creosote bush encodes an activator of the abscisic acid signaling pathway. J Biol Chem 279: 55770-55779 | |
| | 41 | Rushton et al. (2002). Synthetic Plant Promoters Containing Defined Regulatory Elements Provide Novel Insights into Pathogen- and Wound-Induced Signaling. Plant Cell 14, 749-762. | |
| | 42 | Kalde et al. (2003). Members of the Arabidopsis WRKY Group III Transcription Factors Are Part of Different Plant Defense Signaling Pathways. Molecular Plant-Microbe Interactions 16, 295-305. | |

| | | | |
|--------------------|--|-----------------|---------|
| Examiner Signature | | Date Considered | 9/23/05 |
|--------------------|--|-----------------|---------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | | | |
|---|---|----|---|--------------------------|--------------------|
| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | 10/666,642 |
| | | | | Filing Date | September 18, 2003 |
| | | | | First Named Inventor | JIANG, Cai-Zhong |
| | | | | Art Unit | 1638 |
| | | | | Examiner Name | BAUM, Stuart F |
| | | | | Attorney Docket Number | MBI-0054 US |
| Sheet | 6 | of | 6 | | |

[illegible]

| | | | |
|--------------------|--------------------|-----------------|---------|
| Examiner Signature | <i>[Signature]</i> | Date Considered | 9/23/05 |
|--------------------|--------------------|-----------------|---------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.